

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICHARD C. SPRUEL JR.,

Plaintiff,

v.

HAROLD CLARKE, *et al.*,

Defendants.

Case No. C06-5021RJB

ORDER ADOPTING REPORT AND
RECOMMENDATION ON
INJUNCTIVE RELIEF AND
DENYING PLAINTIFF'S MOTION
FOR INJUNCTIVE RELIEF

This matter comes before the court on the Report and Recommendation on Injunctive Relief, issued by the Magistrate Judge. Dkt. 27. The court has considered the relevant documents, including plaintiff's objections, and the remainder of the file herein.

Plaintiff, who alleges that he is a Shi'a Muslim, has filed a motion for preliminary injunctive relief, requesting that the court order the Washington Department of Corrections to provide him with Halal meals. Dkt. 9. On April 10, 2006, U.S. Magistrate Judge J. Kelley Arnold issued a Report and Recommendation, recommending that the court deny plaintiff's motion for injunctive relief. Dkt. 27. Plaintiff has filed objections to the Report and Recommendation. Dkt. 29.

Plaintiff is provided an ovo-lacto diet. While plaintiff claims that the ovo-lacto diet does not comply with the requirements of his Muslim religion, he has not shown that he is likely to succeed on the merits of this claim or that he will be irreparably harmed absent the court's intervention, nor has

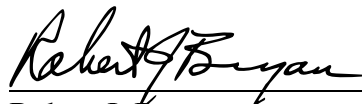
1 he raised serious questions or shown that the balance of hardships tips sharply in his favor. *See*
2 *Cassim v. Bowen*, 824 F.2d 791, 795 (9th Cir. 1987). After a review of the record, including the
3 documents provided by plaintiff in support of the motion for preliminary injunction, the court
4 concurs with the analysis and recommendation in the Report and Recommendation.

5 Therefore, it is hereby

6 **ORDERED** that the Report and Recommendation on Injunctive Relief (Dkt. 27) is
7 **ADOPTED**. Plaintiff's motion for preliminary injunctive relief (Dkt. 9) is **DENIED**.

8 The Clerk is directed to send uncertified copies of this Order to all counsel of record and to
9 any party appearing *pro se* at said party's last known address

10 Dated this 12th day of May, 2006.

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13 Robert J. Bryan
14 United States District Judge
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